

MINUTES OF THE CITY PLANNING COMMISSION

J. MARTIN GRIESEL ROOM

April 18, 2003
9:00 AM

Present: Appointed Members: Peter Witte, Caleb Faux, Jackie McCray, Donald Mooney, Terry Hankner; Water Works Director David Rager; Councilmember Jim Tarbell; Community Development and Planning Staff: Peg Moertl, Director; Skip Forwood, Acting Chief Planner

Mr. Mooney called the meeting to order.

MINUTES

The minutes of the March 28, 2003 and April 4, 2003 City Planning Commission (CPC) meetings were presented for consideration.

Motion: Ms. McCray moved approval of the minutes.

Second: Ms. Hankner

Vote: All ayes (6-0)

Removed 3 and 4A off of the Consent Items for discussion.

CONSENT ITEMS

REPORT AND RECOMMENDATION GRANTING EASEMENTS THROUGH LUNKEN AIRPORT PLAYFIELDS FOR THE BEECHMONT SLUICE GATE PROJECT IN LINWOOD.

The Hamilton County Board of Commissioners has authorized the replacement of two sanitary sewer gates that prevent flooding within the Lunken Airfield area during high water river stages. One of the gates will be relocated within two city owned parcels. Metropolitan Sewer District requires two permanent sanitary easements and four temporary construction easements through the Lunken Airport Playfields prior to construction of the sewer gates. Staff recommends approval.

REPORT AND RECOMMENDATION FOR THE SALE OF PROPERTY AT THE SOUTHWEST CORNER OF QUEEN CITY AVENUE AND SUNSET AVENUE IN WEST PRICE HILL AND WESTWOOD.

The subject property consists of 13.79 acres and will contain 37 of the proposed 101 residential lots for CiTiRAMA 2003. The property has an irregular shape with varying degrees of steepness along the street frontages. The hilltop is a relatively level plateau

suitable for development. The property's appraised value is \$83,000. The City Planning Commission approved a Subdivision Improvement Plan for Phase One of the Woodcrest Park Subdivision on March 7, 2003. The property will be sold to Robert Rhein Interests, Inc. DBA as Woodcrest Park L.L.C. Staff recommends approval.

REPORT AND RECOMMENDATION DECLARING THE INTENT TO APPROPRIATE TO PUBLIC USE, PROPERTY REQUIRED FOR THE BEEKMAN/HARRISON STREET IMPROVEMENT PROJECT IN SOUTH FAIRMOUNT.

This resolution provides the easements required to improve Queen City Avenue. This project provides a \$3.6 million "face lift" to south Fairmount that will beautify the streets, improve traffic flow and enhance the gateway to South Fairmount. Besides Queen City Avenue, the Western Hills Viaduct, Beekman Avenue and Harrison Avenue are slated for improvements. Notice to Proceed with construction was given on January 6, 2003 and is expected to be complete by December 2003. Funding for this project is in place. Staff recommends approval.

Motion: Ms. McCray moved approval of consent items 1, 2 and 4.

Second: Mr. Rager

Vote: All ayes (6-0)

DISCUSSION

REPORT AND RECOMMENDATION APPROVING THE SALE OF PORTIONS OF DEVOTIE AVENUE, DIGBY AVENUE AND JOSELIN ALLEY WEST OF CLIFTON AVENUE.

Brad Austing, 1055 St. Paul Place, 45202 read information into the record to help clear up misinformation that has been spread about the Stratford Heights project.

MR. TARBELL ENTERED THE ROOM

Stratford Heights is the idea of University Heights Community Urban Redevelopment Corporation (UHCURC). Stratford Heights is a \$50 million housing project consisting of high-quality student housing with a focus on student organizations. Student organizations are any organization recognized by the University. There are 14 buildings, 21 organizations, a multi-purpose building and parking for the residents and their guests. The multi-purpose building will serve as a hub for resident life.

Stratford Heights fronts on Clifton Avenue across from UC and is adjacent to Deaconess Hospital to the south. Stratford Heights will help fill in the massive asphalt parking lot fronting on Stratford and west of Stratford and help restore the urban housing streetscape.

Mr. Mooney asked what would happen to the people who park in the lot on Stratford and where is parking for the facility. Mr. Austing responded that UC is building two parking garages on campus, which will absorb the 300+ spaces.

The property is zoned R-5 and R-6. The project is less dense and more sensitive to the neighborhood than would be permitted in an R-5 and R-6 zone. In order to be more creative, the developer needed to apply for a PUD within an R-5 and R-6 zone. The design objective was to design three story homes, which is characteristic of the neighborhood both in scale and architectural detailing. The buildings are of Tudor architecture with a focus on an essential greenbelt, which accesses the pedestrian promenade. The park requirements are one parking space for every three residents; however, the owner is providing nearly a 1:1 ratio.

The stairs that connect the upper and lower sections of DeVotie Avenue are not handicap accessible, are in violation of the ADA, are not in compliance with the building code and are a liability to the city. The only practical use of these stairs is from the parking lot to the campus; since the parking lot will not longer exist, the stairs will serve no purpose. The portion of Joselin Alley to be vacation north of DeVotie Avenue is a clump of shrubs that is being used as a trash dump and toxic waste disposal. Joseline Alley south of DeVotie Avenue has a severe slope that is unprotected both for pedestrian and vehicular travel. Digby Avenue west of the property owned by UHCURC is serving no public use, is poorly lit and is inaccessible to police and fire protection.

The owner has submitted a check to the city for approximately one acre of ground for \$116,000. All adjacent property owners consented and all city agencies have approved the vacation.

Motion: Ms. Hankner moved approval.

Second: Ms. McCray

Vote: All ayes (7-0), motion carries.

REPORT AND RECOMMENDATION TO VACATE A PORTION OF BROWNING AVENUE WEST OF CALVERT STREET AND A PORTION OF CALVERT STREET BETWEEN ALAMO AVENUE AND BROWNING AVENUE IN OAKLEY.

David Efland, City Planner, presented a draft ordinance for the vacation of portions of Browning Avenue and Calvert Street in the Oakley North area to facilitate the site plan that was approved by the Planning Commission and City Council. The ordinance contains eight conditions mostly related to utilities within the two rights-of-way that need to be moved or replaced. Staff is concerned about parcels without frontage. Vandercar has submitted sufficient evidence to the Law Department that they control or own all of the properties that front on both of those portions of the street.

Mr. Faux stated that there is no discussion on how the right-of-way issue is being addressed. Ms. Moertl responded that a value of \$145,000 has been established for the subject property and it is the expectation of the administration that the developer will reimburse the city in the amount of \$145,000. This is typically addressed in a development agreement or in other agreements between the city and the developer related to the project.

Mr. Faux asked if there has been resolution to the turning lane. Ms. Moertl stated that there is resolution that a turn lane is needed. The developer has provided a proposal to the city relying on tax increment financing to address a number of the area infrastructure issues. It is still the administration's expectation as relayed in a letter from Eileen Enabit, Director of Transportation and Engineering, that the developer be responsible for those costs as well as the \$145,000.

Ms. Moertl stated that the ordinance was not introduced to City Council on April 16, 2003 because there were some legal issues that the Law Department was investigating. In order to be developer friendly, staff put the ordinance on the Planning Commission agenda. The decision of the Planning Commission will be held until the ordinance is introduced to Committee.

Motion: Ms. Hankner moved approval subject to the details being worked out with the developer.

Second: Mr. Rager

Vote: All ayes (7-0), motion carries.

REPORT AND RECOMMENDATION DESIGNATING A PORTION OF THE LOWER PRICE HILL NEIGHBORHOOD AS AN URBAN RENEWAL PLAN STUDY AREA.

Katherine Keough-Jurs, City Planner, stated that staff is requesting the Planning Commission's approval for the study area boundary for the Lower Price Hill Urban Renewal Plan which grew out of the SPUR Team. Ms. Keough-Jurs stated that the purpose of the URP is to look at the vacant and underutilized commercial and light/heavy industrial land in the neighborhood and return it to a good use to provide jobs and tax money to the city. Ms. Keough-Jurs stated that staff tried to keep as much residential property out of the boundary as possible. Ms. Keough-Jurs stated that some residential property had to be included on State Avenue and Hatmaker in order to focus on the commercial redevelopment. The residential properties surrounding Oyler School have not been included in the boundary. Oyler School is scheduled for renovation between 2005 and 2007.

Mr. Efland stated that the requested boundary of the Lower Price Hill Urban Renewal Plan perfectly matches SPUR Plan District #5. Mr. Efland stated that from Hatmaker on up, there is a division of zoning between B-4 and M-2. Mr. Efland stated that there are private development interests in redeveloping a portion of Lower Price Hill.

Ms. Keough-Jurs stated that in order to meet the time line, a consultant, Kinzelman Kline Gossman, has been hired and they have been taking stock of this area and have come up with a few preliminary ideas.

Ms. Keough-Jurs stated that a notice has been mailed regarding a public forum to be held on Thursday, April 24, 2003 at 9:00 A.M. There will be another meeting on the evening of Thursday, April 24, 2003 to reveal some of the preliminary ideas.

Ms. Keough-Jurs stated that once there is a preliminary draft plan, the plan will be brought to the Planning Commission and a public meeting will be held to release the draft plan for public comment.

Ms. Keough-Jurs stated that there was a request from a business owner on Eighth Street to expand the boundary to include the intersection at Eighth and State and all the B-4 all the way up State Street. This B-4 is mostly small commercial stores and a lot of residences.

Mr. Faux stated that the primary reasons for developing an urban renewal plan, in particular, a blight analysis, is that once this is adopted, the city is afforded the capacity of eminent domain to acquire property. There is a policy position that the city does not do eminent domain and if this is the policy position, why bother?

Mr. Efland responded that through TIF District legislation in the State of Ohio, there are three ways to qualify TIFs under census districts. One of the easy ways is blighting criteria/urban renewal plan. Mr. Efland stated that the SPUR Team objective is not about taking properties but to find a way to make the land uses work, provide some reinvestment, clean up the property and redevelopment it.

Ms. Moertl stated that it is important to do this process in the context of the city which has to reuse its available land in a sensible 'planful' way. Regarding eminent domain, the city historically has not used eminent domain for any residential properties; eminent domain has been used in the Central Business District. Ms. Moertl suggests that there is a willingness to explore eminent domain in particular strategic instances keeping in mind that in the State of Ohio, eminent domain, except for right-of-way, is costly and time consuming process. Ms. Moertl stated that the city must change the way we approach development and redevelopment and must be more proactive.

Mr. Faux agreed with Ms. Moertl, but if the city is going to be proactive it needs to afford whatever tools there are available.

Frank Triantos, 655 Evans Street, 45204 and his brother testified that they have been in Lower Price Hill for 23 years operating a small manufacturing company. Mr. Triantos thinks urban renewal is a very good plan. Mr. Triantos is concerned about one of his buildings that is marked for demolition by the Department of Buildings and Inspections. Mr. Triantos wonders if the city will take his property or pay the fair market value at this time.

Ms. Moertl stated that this plan is not about public acquisition.

Mr. Mooney asked about the expression of interest in commercial development. Mr. Efland responded that it is primarily focused around this area and Queen City Barrel. Mr. Efland stated that every use is currently on the table.

Motion: Mr. Faux moved to approve the boundary and amend the boundary to include the intersection of Eighth and State.

Second: Mr. Witte

Vote: All ayes (7-0), motion carries.

Ms. Moertl stated that there is a preliminarily scheduled special meeting on Friday, April 25, 2003 at 9:00 A.M. for the zoning code. There have been over 100 responses from communities regarding the maps. There is some concern on the part of the community people that they didn't feel as included in the process as they would have liked. Staff worked on the maps and are currently eliciting comments. They are more than happy to continue meeting with communities and taking input and will continue to work hard to incorporate the feedback received to date.

Ms. Moertl stated that Mr. Pepper has taken over as chair of the Neighborhoods Committee and he would like to continue on the schedule that has been identified by staff to get the zoning code to City Council prior to its summer break; this is dependent on the responses received by the communities.

ADJORNMENT

With no further business to consider, the meeting was adjourned.

Margaret M. Moertl, Director
Community Development & Planning

Donald J. Mooney, Chairman

Date:_____

Date:_____